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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,829	11/30/2005	Marko Schuba	P17307-US1	2475
27045	7590	01/21/2010	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			DOAN, TRANG T	
			ART UNIT	PAPER NUMBER
			2431	
			MAIL DATE	DELIVERY MODE
			01/21/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,829	<b>Applicant(s)</b> SCHUBA, MARKO	
	<b>Examiner</b> TRANG DOAN	<b>Art Unit</b> 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12 and 14-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to the amendment filed on 11/05/2009.
2. Claims 1, 10 and 18 have been amended.
3. Claims 4 and 13 have been cancelled.
4. Claims 1-3, 5-12 and 14-20 are pending for consideration.

### ***Continued Examination Under 37 CFR 1.114***

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/05/2009 has been entered.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-3, 5-12 and 14-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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8. Claims 1-3, 5-12, and 14-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. Regarding claims 1, 10, and 18, the limitation "receive at the server a request for triggering" is unclear whether the request is from the first device or the second device.

10. In addition to claims 1, 10, and 18, the limitation "entering into the first device an indication of the matching" is unclear as to who is the one confirming the matching?

11. The dependent claims are depended on the rejected base claim, and are rejected for the same rationale.

### ***Claim Rejections - 35 USC § 102***

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 1-3, 5-12 and 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Falk et al. (US 5668876) (hereinafter Falk).

14. Regarding claims 1, 10 and 18, Falk discloses a method for granting access to a second institution for or via a second device by linking of a first characteristic of a first device and a second characteristic of a second device by a server, comprising the steps of: receiving at the server a request for triggering (Falk: column 5 lines 23-25: terminal transmits a request over a service access network) the following steps: selecting a first

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linking information and a second linking information (Falk: column 5 lines 48-52), the first linking information matching to the second linking information, sending from the server the first linking information to the first device and the second linking information to the second device, where the first device is a trusted device and the first characteristic relates to an access legitimization legitimating the first device for accessing a first institution, presenting by the first device the first linking information and by the second device the second linking information, the step of presenting being performed after the step of sending such that the first linking information is output on the first device in parallel to output of the second information on the second device (Falk: column 6 lines 12-30; and column 6 line 61 through column 7 line 19), entering into the first device an indication of the matching of the first linking information and the second linking information, based on the entered indication of the matching, sending from the first device to the server a matching confirmation for confirming the matching to the server, associating the first characteristic and the second characteristic based on the received matching confirmation, for executing the linking, the server further verifying the access legitimization of the first device, based on the linking, sending a message from the server for granting access to the second institution (Falk: column 6 lines 38-55; and column 6 line 61 through column 7 line 19).

15. Regarding claims 2 and 11, Falk discloses wherein the request for linking is a request for authentication and the first device is a trusted device within said communication network, further comprising the step of stating the association by an authentication assertion (Falk: see figure 1; and column 5 lines 23-29).

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16. Regarding claims 3 and 12, wherein the authentication assertion is sent for granting access.

17. Regarding claims 5 and 14, Falk discloses wherein the second characteristic comprises an identifier identifying the second device and access to a second institution is granted to or via the second device based on the associating of the first characteristic relating to the access legitimization and the second characteristic comprising the identifier, the second institution being identical to or different from the first institution (Falk: column 6 lines 38-55).

18. Regarding claims 6 and 15, Falk discloses wherein the first linking information and the second linking information comprise one or more randomly generated symbols (Falk: column 5 lines 30-44).

19. Regarding claims 7 and 16, Falk discloses wherein the first linking information is identical to the second linking information (Falk: column 5 lines 30-55).

20. Regarding claims 8, 17, and 19, Falk discloses wherein the associating is based on a verification for correctness of confirmation data entered into the first device (Falk: column 6 lines 3-30).

21. Regarding claims 9 and 20, Falk discloses wherein the entered confirmation data comprises at least one of (a) a Personal Identification Number, (b) a password, (c) an indication for additional information being presented in parallel to the first linking information or second linking information, the additional information being distinguishable from the first linking information and the second linking information, and

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(d) data being computed on the base of the first linking information and/or the second linking information (Falk: column 6 lines 3-55).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRANG DOAN whose telephone number is (571)272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trang Doan/  
Examiner, Art Unit 2431

/William R. Korzuch/  
Supervisory Patent Examiner, Art Unit 2431

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